Application Number		Application/Co	ntrol No.	Re	Applicant(s)/Patent under Reexamination DAS ET AL.		
Document Code - DISQ	Internal I			ocument – DO NOT MAIL			
TERMINAL DISCLAIMER	☑ APPROVED				☐ DISAPPROVED		
Date Filed : August 23, 2005	This patent is subject to a Terminal Disclaimer						
Approved/Disapproved by:							

U.S. Patent and Trademark Office

Henry D. Jefferson

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			22-Feb-06	APPL. S. N:	09725438			
To Exam	iner:		MOORE, Ian	Art Unit	2661			
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68			
SUBJEC	r: Decisio	n on Te	erminal Disclaimer(T.D.) filed:					
form para or have a	agraphs i any quest	dentifie ions, pl	d by this informal memo in your ne ease see me or the Special Progran	e results as set forth below. If you a ext Office action to notify applicant o n Examiner. THIS IS AN INFORMAL, OF RECORD IN THE APPLICATION F	of the T.D. If you disagree			
please in	itial, date	and re	turn this memo to me. THANK YOU					
V	The T.D.	is PRO	PER and has been recorded (see 14	.23).				
	The T.D.	is NOT	PROPER and has not been accepted	d for the reason(s) checked below (s	see 14.24):			
			has not been subma deposit account.	nitted nor is there any authorization	in the application file for the			
		his/her	D. does not satisfy Rule 321 in that r interest (and/or the extent of the application/patent (see 14.26 & 14.	the person who has signed the T.D interest of the business entity repre .26.01).	. has not stated the extent of sented by the signature)			
	口		D. lacks the enforceable only during patenting rejection, Rule 321(b) (s	g common ownership clause – neede see 14.27.01).	ed to overcome a non-statutory			
		The T.f	D. is directed to a particular claim(s n of the term of the entire patent to	s), which is not acceptable since "the be granted" (MPEP 1490) (see 14.2	e disclaimer must be for a terminal 26 & 14.26.02).			
		The pe	rson who signed the T.D.:					
			is not an attorney "of record" (se	ee 14.29 and 14.29.01).				
			has failed to state his/her capaci	ity to sign for the business entity (se	ee 14.28).			
			is not recognized as an officer of	the assignee (see 14.29 & possible	14.29.02).			
		nor is to	the reel and frame number specified 7 CFR 3.73(b) and 1140 O.G. 72). N	le from the original inventor(s) to as d as to where such evidence is recor NOTE: This documentary evidence o r in a separate paper of record in th	rded in the Office In the specifying of the reel and			
		The T.	D. is not signed (see 14.26 & 14.26	.03).				
			rial number of the application (or thing rejection is missing or incorrect	ne number of the patent) which form (see 14.32).	ns the basis for the double			
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).						
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have ap	propriate	ly notifi	ied applicant(s) of the status of the	Terminal Disclaimer filed in this cas	e.			
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REJECTION OVER A "PRIOR" PATENT	29633.047800				
In re Application of: DAS, et al.					
Application No.: 09/725,438					
Filed: November 29, 2000	,				
FOI: RATE ADAPTATION IN WIRELESS COMMUNICATION SYSTEM					
The owner*, Lucent Technologies, Inc. of 100 percent interest in	the instant application hereby disclaims.				
except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,721,834 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.					
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	1				
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